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CLIENT/MATTER NUMBER
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FEDERAL BUREAU OF INVESTIGATION
OFFICE OF THE ATTORNEY GENERAL
COUNCIL

Dear Mr. Mizzuno:

You indicated on the phone that the anticipated request for extension “would not be granted”. You offered NO reason other than that you had been instructed to advise me that no extension would be granted. The timeline regarding this MUR is as follows:

The amended FEC report was filed on September 9, 2004.

The Request For Additional Information was issued on September 21, 2004

The Termination Report was filed on November 28, 2005.

The RTB Finding was issued on February 27, 2006 and received by my client on March 9, 2006.

**TAMPA
TOKYO
WASHINGTON, D.C.
WEST PALM BEACH**

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Ms. Beth Mizzano

March 16, 2006

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Your agency has taken almost two years to decide to act in this matter, seventeen months between the receipt of the response to the RFAI from the Committee and three months from the filing of the Termination Report to issue an RTB Finding.

You didn't even give me an opportunity to tell you how much time I am requesting for an extension before you told me that NO extension will be granted. In other words, you denied the request *before* it was even made.

The denial of the request (before it was even made) is an abuse of the Agency's discretion. This Committee involves a candidate who lost a primary election in the *prior* election cycle - and the Commission has certainly not indicated by its own actions (and inaction) that there is any urgency involving this matter. The Committee is awaiting termination because its purpose has long since been concluded. There is absolutely no cause or reason for denying the request for an extension. There is no harm or injury to anyone in allowing the Committee the time necessary to develop the facts and documentation necessary to respond fully and properly to the RTB Finding.

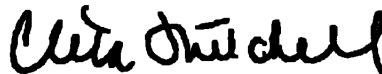
The reason for the extension request (which is being filed more than five days prior to the original response date) is for good cause. The Committee is inactive and has been inactive for eighteen (18) months. It will, therefore, be necessary to retrieve records from storage and to try to reconstruct the facts that are required to defend this MUR, to locate people and to develop an appropriate response. Further, no attachments were included in the RTB notice from your office and the Committee's response to the RFAI at issue in this MUR, while referenced in the RTB Finding, is neither attached nor is it posted on the Commission's website. As Counsel to the Committee, I do not have a copy of the RFAI Response which is central to my ability to adequately represent my client in this MUR. The Committee's records must be retrieved and then searched in order to obtain the documents pertinent to this MUR.

Accordingly, please consider this the Committee's formal request for an extension of time to respond to the RTB Finding to April 14, 2006, or twenty (20) days from the original response date of March 24, 2006.

Should your office determine not to reconsider its decision (already made prior to this request being tendered), please advise in writing of your reason(s) for doing so.

Please contact me at (202) 295-4081 if you have any questions.

Sincerely,



Cleta Mitchell, Esq.
Counsel for Gallagher for Senate

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Ms. Beth Mizzuno
March 16, 2006
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cc: Mr. Doug Gallagher
Mr. Kenneth Lancaster
Mr. Lawrence Norton, FEC General Counsel

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